**REMARKS** 

Claims 1-5, 7-9, 11, 13 and 15-22 were identified as pending in the Office Action. The

Examiner suggested several helpful claim amendments to place the claims in condition for

allowance, both in the Office Action and by facsimile to Applicants' representative, which was

transmitted on June 20, 2005. Applicants have made the suggested amendments in the claims.

Consequently, Applicants submit that the claims satisfy the statutory requirements of Title 35 of

the United States Code. Allowance of the claims is thereby respectfully solicited.

In addition, the Examiner proposed amending the specification to update continuation

data on pages 1, 2, 4, etc. and to change the specification NOX to include X = CN for

consistency with the claim amendment. The Examiner noted that X = CN is supported by claim

19. Applicants respectfully request that these amendments be entered as proposed in the

Examiner's facsimile dated June 20, 2005.

Claims 1-3, 11, 13, 15-17, and 21-22 are provisionally rejected under the judicially

created doctrine of obviousness-type double patenting as being unpatentable over claims 1-10

and 21-22 of copending Application No. 10/069,114. Without conceding to the merits of the

present rejection, but solely in an effort to expedite prosecution, Applicants have submitted with

the present Response a terminal disclaimer for this Application. Accordingly, Applicants

respectfully request withdrawal of the double-patenting rejection.

Applicants submit that the application satisfies the statutory requirements of Title 35 of

the United States Code. Allowance of the claims is thereby respectfully solicited.

The Examiner is invited to contact the undersigned representative by telephone at (312)

913-0001 if a discussion is believed to be helpful.

Date: Gerlunder 27, 2005

Jason J. Derry

gistration No.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

300 S. Wacker Drive, Suite 3100

Chicago, IL 60606

Telephone: (312) 913-0001

Facsimile: (312) 913-0002

5